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8 **BEFORE THE**
9 **BOARD OF REGISTERED NURSING**
10 **DEPARTMENT OF CONSUMER AFFAIRS**
11 **STATE OF CALIFORNIA**

12 In the Matter of the Accusation Against:

Case No. 2008-215

13 ELSA TEDLA MENGISTU
14 1754 State Street, Apt. 8
S. Pasadena, CA 91030

A C C U S A T I O N

15 Registered Nurse License No. 654932

Respondent.

16 Complainant alleges:

17 **PARTIES**

18 1. Ruth Ann Terry, M.P.H, R.N (Complainant) brings this First Amended
19 Accusation solely in her official capacity as the Executive Officer of the Board of Registered
20 Nursing (Board), Department of Consumer Affairs.

21 2. On or about March 22, 2005, the Board issued Registered Nurse License
22 No. 654932 to Elsa Tedla Mengistu (Respondent). The Registered Nurse License was in full
23 force and effect at all times relevant to the charges brought herein and will expire on May 31,
24 2008, unless renewed.

25 **JURISDICTION**

26 3. This Accusation is brought before the Board, under the authority of the
27 following laws. All section references are to the Business and Professions Code unless otherwise
28 indicated.

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1 license¹, based on Respondent's admitted failure to meet accepted standards of practice, as
2 follows:

3 9. In a disciplinary action entitled "In the Matter of Accusation Against Elsa
4 Mengistu," Case No. 6782, the Board of Vocational Nursing and Psychiatric Technicians, issued
5 a decision, effective March 9, 2007, in which Respondent's Vocational Nurse License was
6 revoked. However, the revocation was stayed and Respondent's license was placed on probation
7 for a period of three (3) years with certain terms and conditions. A copy of that decision is
8 attached as Exhibit A and is incorporated by reference. The circumstances underlying the
9 Decision are that:

10 a. On or about March 21, 1998, 86-year old E.B., (a female born in 1912),
11 was admitted to Country Villa East Nursing Center, Los Angeles, California (Country Villa) until
12 her discharge on or about February 22, 2003. Her admitting diagnosis was hypertension,
13 glaucoma and decubitus ulcer.

14 b. On or between February 20, 2003 and February 21, 2003, Respondent
15 began her employment and performed services as a Licensed Vocational Nurse at Country Villa.

16 c. On or about February 21, 2003, Respondent while being oriented under the
17 supervision of another licensed vocational nurse, was assigned to perform duties relative to the
18 administration of prescribed medications. Respondent assisted in the preparation of the
19 scheduled medications. The scheduled medications were placed in cups and labeled with only
20 the patient's room number (no name or date of birth).

21 d. On or about February 21, 2003, Respondent's supervisor prepared
22 medications Baclofen 20 mg (muscle relaxant), MS Contin 60mg (long acting morphine narcotic)
23 and Neurontin 300mg (antiseizure) for client R.B., a male patient, in a cup identified only by a
24 room number. Respondent was instructed by the supervising nurse to administer these
25 medications unsupervised. Respondent incorrectly administered these medications to client E.B
26 instead of client R.B.

27
28 1. A copy of the Board of Vocational Nursing and Psychiatric Technicians Decision is
 attached as Exhibit "A" and made a part herein.

1 e. On or about February 22, 2003, client E.B. was transported from Country
2 Villa to another hospital for emergency care.

3 f. On or about March 1, 2003, client E.B. died at Queen of Angels
4 Hollywood Presbyterian Hospital.

5 g. On or about August 21, 2003, a Deputy Medical Examiner recommended
6 amending client E.B.'s death certificate to reflect her cause of death to be "sequelae of morphine
7 intoxication" with contributing atherosclerotic cardiovascular disease and iron-deficiency
8 anemia.

9 **SECOND CAUSE FOR DISCIPLINE**

10 (Unprofessional Conduct)

11 10. Respondent is subject to disciplinary action under section 2761,
12 subdivisions (a) and (d) of the Code, on the grounds of unprofessional conduct, in that
13 Respondent was disciplined by the Board of Vocational Nursing and Psychiatric Technicians and
14 violated accepted standards of practice, as a licensed vocational nurse, as more fully set forth
15 above in paragraphs 8 through 10.

16
17 **PRAYER**

18 WHEREFORE, Complainant requests that a hearing be held on the matters herein
19 alleged, and that following the hearing, the Board issue a decision:

20 1. Revoking or suspending Registered Nurse License No. 654932, issued to
21 Elsa Tedla Mengistu;

22 2. Ordering Elsa Tedla Mengistu to pay the Board the reasonable costs of the
23 investigation and enforcement of this case, pursuant to Business and Professions Code section
24 125.3;

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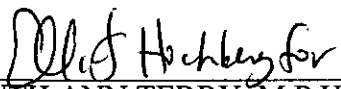
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3. Taking such other and further action as deemed necessary and proper.

DATED: 1/18/08


RUTH ANN TERRY, M.P.H, R.N
Executive Officer
Board of Registered Nursing
State of California
Complainant

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